CHAPTER 1

# Introduction

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This document includes comments and responses to comments on the Environmental Assessment/Draft Environmental Impact Report (EA/Draft EIR) for the Trinity River Bridges Project (Project) and comprises the EA-FONSI/Final EIR for the proposed Project. The Final EIR portion of the EA-FONSI/Final EIR is an informational document that must be considered by Trinity County (lead agency under the California Environmental Quality Act [CEQA]) before the County Board of Supervisors approves or rejects the proposed project. Similarly, under the National Environmental Policy Act (NEPA), the U.S. Bureau of Reclamation (BOR) and Bureau of Land Management (BLM) must consider the EA-FONSI portion of the joint document before approving or rejecting the project.

According to the CEQA *Guidelines* (Section 15132), a Final EIR shall consist of the following elements:

a) The Draft EIR or a revision of that draft.
b) Comments and recommendations received on the draft EIR either verbatim or in summary.
c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
e) Any other information added by the Lead Agency.

## 1.1 Organization of the Document

This EA-FONSI/Final EIR includes the EA/Draft EIR (incorporated by reference), a list of persons and agencies commenting on the EA/Draft EIR, written comments and oral testimony, Lead Agency responses to comments and oral testimony, revised EA/Draft EIR text, and a Mitigation Monitoring and Reporting Program (MMRP) for the proposed Project (incorporated by reference).

The EA-FONSI/Final EIR is organized into the following chapters:

- **Chapter 1 – Introduction:** This chapter provides a summary of the overall project and a discussion of the associated environmental review process.
- **Chapter 2 – EA/DEIR Comments and Responses to Comments**: This chapter provides a list of commentors, copies of written comments and oral testimony (alpha-numerically coded for reference), and the lead agency responses to those comments.
- **Chapter 3 – Changes to the EA/DEIR:** This chapter includes all corrections and additions to the EA/Draft EIR text made as a result of comments made on the EA/Draft EIR. Any changes in text are indicated by revision marks.

- **Chapter 4 – Final Mitigation Monitoring and Reporting Program:** This chapter describes the final Mitigation Monitoring and Reporting Program (MMRP), as required by the CEQA *Guidelines* (Section 15097). The MMRP is incorporated by reference.

## 1.2 Project Overview

### PROJECT HISTORY

The Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) identified four bridges that were susceptible to impacts associated with peak fishery flow releases: the Salt Flat, Bucktail, Poker Bar, and Biggers Road bridges. Adverse impacts to these bridges by flood flows, including overtopping, flooded approaches and scouring, have occurred over time, and as recently as 1997, when these bridges and/or their approaches were rendered inaccessible by flood flows that severely limited residential and commercial use of these facilities for several days. The (EA/Draft EIR) for this Project addressed the environmental issues, alternatives, and impacts associated with the modification and/or replacement of the Salt Flat, Bucktail, Poker Bar, and Biggers Road bridges on the Trinity River, below Lewiston Dam (Project). The U.S. Bureau of Reclamation (BOR), the U.S. Bureau of Land Management (BLM), and Trinity County (County) prepared this EA/Draft EIR. Subsequently, the lead agencies have prepared this EA-FONSI/Final EIR to satisfy their legal and regulatory requirements. The BOR will be responsible for the construction of the proposed Project and will function as the federal lead agency under NEPA. The BLM will serve as a federal co-lead agency since it will have approval authority for Project activities on public lands under its administrative authority (i.e., Salt Flat and Bucktail sites). Trinity County will be providing funds made available through the California Department of Fish and Game (CDFG) Coastal Salmon Recovery Program for the construction of the Salt Flat and Biggers Road bridges. The primary cooperating (NEPA), responsible and trustee (California Environmental Quality Act [CEQA]) agencies include:

- National Marine Fisheries Service
- U.S. Army Corps of Engineers
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- California Department of Fish and Game
- California Regional Water Quality Control Board, North Coast Region
- California State Lands Commission

### PURPOSE AND NEED FOR THE PROJECT

The purpose of the proposed Project is to modify or replace, as necessary, the existing Salt Flat, Bucktail, Poker Bar, and Biggers Road bridges across the Trinity River in order to accommodate possible future operational changes to the TRD of the Central Valley Project (CVP).

The need for the Proposed Action results from:

- The existing high likelihood of flooding (pre-Trinity ROD) of the four bridges and/or their access roads with potential loss of property and lives (as exemplified during the 1997 New Year's Day Flood).
- The current limitation on the operation of Trinity Dam during periods of high inflows, which limits safety of dam water releases to the Trinity River via Lewiston Dam to 6,000 cfs when the actual release capacity of Trinity Dam is 13,750 cfs.

- Requirements in the Secretary of Interior's December 19, 2000, Trinity River ROD to restore the Trinity River fishery through a combination of higher releases from Lewiston Dam (up to 11,000 cfs), floodplain infrastructure improvements – including rebuilding or fortifying bridges and addressing other structures affected by the peak instream flows provided by the ROD, channel rehabilitation projects, fine and coarse sediment management, watershed restoration, and an Adaptive Environmental Assessment and Management Program.
- The directive of the United States District Court of the Eastern District of California, in *Westlands Water District, et al., v. U.S. Department of the Interior, et al.* (Civil Action CIV – F – 00-7124-OWW/DLB) (E.D. Cal.) requiring that "[a]ll non-flow measures prescribed by the ROD shall proceed" while the Department of Interior prepares an SEIS to remedy the defects in the original EIS prepared for the December 19, 2000, ROD.

## GOALS AND OBJECTIVES OF THE PROPOSED ACTION

The following goals are derived from the FEIS/EIR (USFWS et al. 2000) and the December 19, 2000 ROD (DOI 2000). These goals support the Proposed Action and provide a framework for the development of alternatives required by NEPA and CEQA:

- Provide safe and reasonable year-round access to parcels of land served by the Salt Flat, Bucktail, Poker Bar and Biggers Road bridges across the Trinity River.
- Allow dam operators maximum flexibility to provide instream flow releases from Lewiston Dam adequate to meet the fishery and geomorphic flow needs for the mainstem Trinity River and to fulfill the Trinity River Total Maximum Daily Load (TMDL) for sediment and restore the coldwater fishery beneficial use.

The following Project objectives apply to the Project's lead/responsible agencies for CEQA purposes.

- Minimize the threat to public safety and potential damage to property posed by the existing high likelihood of flooding.
- Provide maximum flexibility for implementing a variety of potential Trinity River fishery flow alternatives, as well as other flow alternatives outside the ROD such as increasing dam releases during periods of high downstream tributary inflows.
- Allow for high-efficiency sediment transport in the Trinity River to maximize the amount of sediment transported on a per acre-foot basis so that Trinity River can be removed from California's Clean Water Act Section 303(d) Impaired Waterbodies List, while minimizing the total amount of water necessary to transport sediment through the river system.
- Provide maximum flexibility for operations of the TRD during periods of high runoff and flooding which could result in increased water in storage available for multiple beneficial uses (i.e., fisheries, recreation, water supply, water quality and power production).
- Provide alternative access on a short-term basis during project implementation.
- Recovery of fish and wildlife resources that are listed as threatened and endangered.

The following objectives apply to the Projects responsible and trustee agencies, including the Hoopa Valley Tribe (HVT), North Coast Regional Water Quality Control Board (NCRWQCB), the State Lands Commission (SLC), the CDFG, and the State Water Resources Control Board (SWRCB).

- Comply with the Water Code to ensure the highest reasonable quality of waters of the state and allocate those waters to achieve the optimum balance of beneficial uses.
- Protect the public trust assets of the Trinity River watershed.

- Protect, conserve, restore, and manage fish, wildlife, and native plant resources.
- Comply with the Water Quality Control Plan for the Hoopa Valley Indian Reservation to preserve and enhance water quality on the Reservation, and to protect the beneficial uses of water.

## DESCRIPTION OF THE PROPOSED ACTION AND PROJECT ALTERNATIVES

Alternatives that were developed to modify or replace the existing Salt Flat, Bucktail, Poker Bar and Biggers Road bridges on the Trinity River are discussed in Chapter 2 of the EA/Draft EIR, including the No-Action condition, which represents the baseline for NEPA purposes. As noted earlier, No-Action conditions and "existing conditions" (a CEQA concept) are essentially the same. The alternatives discussed below are considered ostensibly feasible and would avoid or substantially lessen at least one of the significant environmental effects of the Project. The range of alternatives selected and discussed in this document represents a reasonable array that will provide for meaningful public participation and informed decision-making.

### *Salt Flat Bridge*

#### No-Action Alternative

Under the No-Action (No-Project) Alternative, the BOR, the BLM, and the County would not proceed with replacement of the Salt Flat Bridge. The No-Action (No-Project) Alternative is the existing condition of the bridge and ancillary features at the Salt Flat Project site.

#### Proposed Action (Replacement Downstream of Existing Alignment with a Two-Span Structure)

The Proposed Action bridge at Salt Flat will be constructed approximately four to 44 feet downstream (centerline to centerline) of the existing left and right bridge abutments, respectively. Because the new left abutment will be constructed nearly at the location of the existing left abutment, the first flatcar span of the existing bridge will be "rotated" and modified to provide temporary construction access for the property owners. The bridge will be constructed on private property, and will be owned collectively by the Salt Flat Property Owners Association. The proposed bridge type is a two-span prefabricated steel truss with reinforced concrete deck. The bridge will be approximately 280-feet long (two 140-foot spans), with an 18-foot clear roadway width, designed to carry HS20 loading. New structures designed for HS20 vehicles are capable of carrying any legal load vehicle and do not require posted limits. The superstructure and guardrail will be fabricated with weathering steel. The Proposed Action requires raising the left road approach approximately four feet to provide sufficient hydraulic freeboard over the river.

#### Alternative 1 (Replacement Upstream, Private Ownership)

The Alternative 1 bridge will be constructed at an angle to the existing bridge approximately 30 to 65 feet upstream of the existing left and right abutments, respectively. The right bridge abutment and approach will be located within lands administered by the BLM. The bridge type is a two-span prefabricated steel truss with reinforced concrete deck. The bridge will be approximately 280-feet long (two 140-foot spans), with an 18-foot clear roadway width, designed to carry HS20 loading. This alternative requires raising the left road approach approximately four feet to provide sufficient hydraulic freeboard over the river.

#### Alternative 2 (Replacement Upstream, Public Ownership)

Alternative 2 is essentially the same bridge design as Alternative 1. However, Trinity County Transportation Department Design Guidelines used in the development of Alternative 2 resulted in the following differences:

- Bridge Width — Two 12-foot lanes (24 feet width)
- Roadway Width — Two 12-foot lanes, 2 2-foot shoulders (paved)
- Roadway surface — Asphaltic concrete
- Roadway drainage — Crowned and/or ditched with approved energy dissipater
- Snow Removal — Provide terminal area for snow removal at right approach

The fundamental difference between Alternative 1 and Alternative 2 is ownership. The existing bridge is on private property, however, the abutments of the proposed Alternative 2 bridge will be entirely or partially located on lands managed by the BLM. Under this alternative, the bridge and associated roadway will be owned and managed by a public agency (i.e., Trinity County) within a permanent easement conveyed by the BLM. The relocation of the bridge onto public lands may result in ownership and access issues. Temporary construction easements will be required for activity on private property both upstream and downstream of the bridge and roadway. Permanent easements will be required both upstream and downstream of the proposed roadway. The BLM and their cooperators will need to address the following issues to accommodate the proposed bridge, roadway alignment and approach fills.

- Transfer of an easement or ownership from the BLM to the County
- Assignment of long-term bridge and Salt Flat Road maintenance responsibilities to the County
- Development of a turn-around on River right to meet County Road guidelines
- Potential development of additional river access

### *Bucktail Bridge*

#### No-Action Alternative

Under the No-Action (No-Project) Alternative, the BOR, the BLM, and the County would not proceed with proposed culvert and roadway improvements at the Bucktail Bridge site. The No-Action (No-Project) Alternative is the existing condition of the bridge and ancillary features at the Bucktail Project site.

#### Proposed Action (Raised Right Approach Roadway and Arch Culvert)

The Proposed Action for the Bucktail Bridge consists of raising the west approach roadway and replacing the existing 30-inch diameter culvert, approximately 215 feet right (west) of the existing bridge, with a nine-foot-wide by four-foot-high arch structure. The arch culvert design will include a natural "bottom" and will increase the conveyance of flows under the Browns Mountain Road embankment. The design also includes raising the Browns Mountain roadway profile approximately 4.5 feet. The proposed roadway embankment and culvert will exhibit hydraulic characteristics similar to the existing system but will be overtopped only during extreme high flows greater than the 100 year event. A detour will be constructed around the existing road and culvert located to the west of the existing bridge, outside of the active low-flow channel. It is estimated that the detour will be in operation for a period of about eight weeks. The detour will be built within the active flood plain, northerly of the existing road. The existing bridge will remain in place and open to traffic at all times during construction, and will be used to provide access for homeowners and construction equipment and personnel.

#### Alternative 1 (Raise Existing Upstream Levee)

The Alternative 1 for the Bucktail Bridge site consists of raising the existing levee on the right bank of the river upstream of the existing bridge. The existing "arc-shaped" levee extends upstream for approximately 450 linear feet. This alternative proposes raising the levee to an elevation approximately 0.5 foot above the calculated water surface for the $Q_{100}$ (spring with ROD) flow event. This design increases the height of a portion of the existing levee; extends the length of the existing levee by 50 feet upstream; and fills in the existing "notch" in the levee. Under this alternative, no modifications to Browns Mountain Road would be required.

### *Poker Bar Bridges*

#### No-Action Alternative

Under the No-Action (No-Project) Alternative, the BOR, BLM, and County would not proceed with the replacement of the Poker Bar Bridges and roadway improvements at the Poker Bar site. The No-Action (No-Project) Alternative is the existing condition of the bridge and ancillary features at the Poker Bar Project site.

#### Proposed Action (Replacement Upstream with Two Single Span Structures)

The proposed Poker Bar bridges will be constructed approximately 33 feet upstream and parallel to the existing bridges. The bridges will remain on private property, and upon completion of construction will be the property of the Poker Bar Property Owners Association – East. The proposed bridge types are single span prefabricated steel trusses with reinforced concrete deck, with an 18-foot clear roadway width designed to carry HS20 live loading. The proposed bridges are 110-feet long over the left (southeast) channel and 80 feet long over the right (northwest) channel. The portion of road between the two bridges and the approaches will have a 20-foot clear roadway width and will be paved with asphalt concrete. The existing bridges will remain open to traffic and will provide access for homeowners and construction equipment and personnel during construction.

#### Alternative 1 (Replacement Downstream with Two Single-Span Structures)

Under Alternative 1, the Poker Bar bridges will be constructed approximately 35 feet downstream of the existing bridges. The bridges will remain on private property, and will be the property of the Poker Bar Property Owners Association - East. The proposed bridge types are single span prefabricated steel trusses with reinforced concrete deck, with an 18-foot clear roadway width, designed to carry HS20 live loading. The proposed bridges are 110-feet long over the left channel, and 80 feet long over the right channel. The portion of road between the two bridges and the approaches will have an 18-foot clear roadway width, and it will be paved with asphalt concrete. The road between the two bridges will be raised to elevation 1740.0 feet at the left bridge abutment 2 and transition to elevation 1734.0 feet at the right bridge abutment 1.

### *Biggers Road Bridge*

#### No-Action Alternative

Under the No-Action (No-Project) alternative, the BOR, the BLM, and the County would not proceed with proposed bridge and roadway improvements at the Biggers Road Project site. The No-Action (No-Project) alternative is the existing condition of the bridge and ancillary features at the Biggers Road Project site.

#### Proposed Action (Replacement Upstream with a Two-Span Steel Truss Structure)

The proposed Biggers Road Bridge will be constructed approximately 137 feet upstream of and parallel to the existing bridge. The bridge will remain on private property and will be owned collectively by homeowners of the "Treadwell Subdivision." The proposed bridge type is a two-span prefabricated steel truss with reinforced concrete deck. The bridge will be approximately 230-feet long (one 130-foot span and one 100-foot span), with a 10-foot clear roadway width, designed to carry HS20 loading. The existing Steel Bridge Road profile will remain unchanged except for the area in the immediate proximity of the bridge left approach intersection. The proposed bridge will be designed for overtopping on the left (east) side, near the intersection of the bridge and Steel Bridge Road. A turnout area will be provided near the south end of the left abutment, parallel to Steel Bridge Road, to allow vehicles to enter and exit Steel Bridge Road more safely. The existing bridge will remain open to traffic and provide access for homeowners and construction equipment and personnel during construction.

#### Alternative 1 (Replacement Upstream, Raise Steel Bridge Road)

The Alternative 1 bridge will be constructed approximately 137 feet upstream and parallel to the existing bridge. The bridge will remain on private property, and will be owned collectively by homeowners of the "Treadwell Subdivision". The proposed bridge will be 230 feet long, with a 10-foot clear width, designed to carry HS20 live loading, and consisting of one 140-foot-long and one 90-foot-long span. Steel Bridge roadway profile or vertical alignment will need to be raised approximately four feet in conjunction with the bridge to provide hydraulic freeboard over the Trinity River. A retaining wall will be placed on the riverside of Steel Bridge Road to retain the raised roadway embankment and maintain the 16-foot travel width. A turnout area will be provided near the south end of the bridge, parallel to Steel Bridge Road.

## *1.3 Summary of Project Impacts and Mitigation Measures*

The affected environment and the environmental consequences (impacts) of implementing each Project alternative are described in Chapter 3 of the EA/Draft EIR (incorporated by reference). A complete summary of the Project impacts and associated mitigation measures for each action alternative at each location are available in Volume 1 (Draft FONSI/Executive Summary) of the EA/Draft EIR on pages ES 27- ES 154.

## *1.4 Environmental Review Process*

The County initiated the Public Scoping process by forwarding a Notice of Preparation (NOP) of an EIR to the State Clearinghouse on April 11, 2002. The NOP and Scoping Report are included in Appendices B and C of the EA/Draft EIR. The BOR and the County held a joint NEPA/CEQA scoping meeting on May 2, 2002 in Weaverville, California. During this meeting, members of the public were asked what issues they felt should be addressed in this EA/Draft EIR. As the public comment period continued, the lead agencies received letters that helped identify areas of concern. These areas of concern and other oral comments received at the scoping meeting were considered during the preparation of the EA/Draft EIR.

The following substantive issues associated with the proposed Project were identified during the public scoping process:

- Public versus private ownership of the bridges
- Potential trespass on private lands
- Long-term maintenance of the bridges

- Temporary access during construction
- Access to a Nor-Rel-Muk Nation cultural resource site near Salt Flat on BLM lands
- Bridge design criteria including width, weight limits and floodwater clearance
- Short term construction impacts
- Source of construction funds
- Potential effects to Wild & Scenic River designation (i.e., Outstandingly Remarkable Values [ORVs])

The EA/Draft EIR was prepared and circulated for public comment from May 5, 2003 to June 19, 2003. Fifteen copies of the EA/Draft EIR were submitted to the State Clearinghouse for distribution to State agencies having jurisdiction over resources affected by the project. The only state agency that submitted comments to the State Clearinghouse was the North Coast Regional Water Quality Control Board. The California State Lands Commission and California Department of Fish and Game provided written comments after the close of the comment period, which have been included in the Final EIR. The Acknowledgement of Receipt from the State Clearinghouse is included in Chapter 2, Comments and Responses to Comments on the EA/Draft EIR. The lead agencies distributed copies to Federal and local agencies with similar jurisdiction.

A Notice of Availability of the EA/Draft EIR was published in the Trinity Journal on April 30, 2003 and May 14, 2003, mailed to all state responsible and trustee resource agencies through the State Clearinghouse, mailed to all interested members from the public who participated in the project scoping process and requested the document, posted on the env-trinity list server (env-trinity@igc.topica.com), mailed to all property owners within 300 feet of the project Environmental Study Limits, and posted at each bridge site. The Notice announced the availability of the EA/Draft EIR, stating where the EA/Draft EIR and supporting documents could be obtained or reviewed, the dates of the comment period, the deadline for receiving written comments, and the time, place, and date of the Public Hearing on the EA/Draft EIR.

On May 8, 2003, the Planning Commission conducted an informational public workshop regarding the EA/Draft EIR. This workshop provided an opportunity for the Planning Commission and the public to become familiar with the EA/Draft EIR, the project, and the environmental review process. No public comments were received during this workshop.

On June 12, 2003, a public forum was hosted by the Planning Commission. Public comments were received during the meeting. These comments have been considered and responses have been prepared and included in Chapter 2.

A formal public hearing on the EA/Draft EIR was conducted by the Planning Commission on June 17, 2003. Public comments were received during the meeting. This oral testimony, as well as written comments received by 5:00 P.M. on Thursday, June 19, 2003 are included in this Final EIR. These comments have been considered and responses have been prepared and included in Chapter 2.

The Trinity County Planning Commission will hold a Public Hearing on the Final EIR portion of the EA-FONSI/Final EIR on July 10, 2003 at 7:00 P.M. or as soon thereafter as the matter can be heard at the Trinity County Board of Supervisors Meeting Room, Trinity County Library, 211 Main Street, Weaverville. The Planning Commission will make recommendations to the Trinity County Board of Supervisors regarding the following:

- A recommendation as to whether the Final EIR portion of the joint document has been completed in accordance with CEQA, and should be certified by the Board of Supervisors;
- A recommendation regarding selection of an appropriate project alternative (including the proposed action and the "No Action" alternative for each of the four project sites);
- A recommendation regarding adoption of the Mitigation Monitoring and Reporting Program; and

- A recommendation to issue Floodplain Development permits for each of the four project sites.

The Board of Supervisors will consider all information in the record, including the Planning Commission's recommendations and the contents of the CEQA components of the EA/Draft EIR and EA-FONSI/Final EIR, and then make formal findings and determinations on the aforementioned issues, at a Public Hearing on July 15, 2003, starting at 1:30 P.M, or as soon thereafter as the matter can be heard at the Trinity County Board of Supervisors' Meeting Room, Trinity County Library, 211 Main Street, Weaverville.

## *1.5 Other Necessary Decisions*

The filing of the Notice of Determination (NOD) completes the CEQA environmental review process. For this Project, per standard procedures, the County Board of Supervisors, if it opts to proceed with the portions of the project under the County's control, would certify the Final EIR portion of the EA-FONSI/Final EIR, file the NOD(s), and forward these documents to the NEPA lead agencies, BOR and BLM, along with a recommendation regarding what the County believes should be the preferred alternative for each proposed bridge. The NEPA process will be complete with the preparation of a FONSI, and Decision Record by the BOR and BLM.

As required under the federal Endangered Species Act (ESA) (16 U.S.C. 1531 et seq.), implementation of the proposed action for the Project required consultation with the National Marine Fisheries Service and U.S. Fish and Wildlife Service. Additionally, implementation of the Project would require a number of permit and agency approvals under local, state, and federal laws. Agencies with potential permit and approval requirements include: U.S. Army Corps of Engineers; California Department of Fish and Game; North Coast Regional Water Quality Control Board; and Trinity County.